

**Enrolled Minutes of the Seventy-Fourth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, November 10, 2014**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, November 10, 2014 at 6:40 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Konnie Kuiper and Dan Vassar were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council discussed the issue of the construction of the "extended stay hotel" called Prairie Square, at the site on 45th avenue of the former Shaver Pontiac dealership. The discussion included the issue of whether the site was complying as the Council became aware that leases or stay agreements were being used.
3. The Town Council discussed with the Town Attorney the enrolled modifications of the property maintenance ordinance and the weed control sections of the Highland Municipal Code, making them employ the provisions of IC 36-1-6 for notice and lien enforcement.
4. The Town Council discussed the possible use of the Unsafe Building law for a property located on Prairie Avenue.
5. The Town Council discussed the status of the snow route revisions or alternatives policies.

The study session ended at 6:59 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, November 10, 2014 at 7:00 clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Dan Vassar, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Mark Herak reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark A. Herak Konnie Kuiper and Dan Vassar. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained. START

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter T. Hojnicky, Metropolitan Police Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; William R. Timmer, Jr., CFOD, Fire Chief; Kenneth J. Mika, Building Commissioner; and Cecile Petro, Redevelopment Director were present.

Also present: Steve Mileusnich of the Advisory Board of Zoning Appeals; and Ed Dabrowski IT Director (Contract) were also present.

Additional persons present: Carol Green Fraley, Attorney for the Redevelopment Commission and Highland School Board member; Pat Krull, Highland School Board; Dan Dernulc, Lake County Councilor; William Fine, newly elected State Representative were present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of 27 October 2014 were approved by general consent.

Staff Reports:

The Clerk-Treasurer read the following reports into the record.

- Building & Inspection Report for October 2014 will be submitted in a future meeting.
- **Building & Inspection Report for September 2014**

Permit	Number.	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	6	0	6	\$185,692.00	2,911.50
Signs:	1	0	1	\$15,515.00	\$419.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	113	113	0	\$713,294.00	\$12,486.50
Garages:	2	2	0	\$39,887.00	\$831.00
Sheds:	4	4	0	\$4,800.00	\$374.50
Decks & Porches:	4	4	0	\$18,651.00	\$856.00
Fences	19	19	0	\$57,430.00	\$1,915.00
Swimming Pools	1	1	0	0	\$36.50
Drain Tile/Waterproofing	3	3	0	\$33,056.00	\$523.50
Misc.	2	1	1	\$0.00	\$193.00
TOTAL:	155	147	8	\$1,068,325.00	\$20,547.00
Electrical Permits	18	16	2		\$2,164.50
Mechanical Permits	16	11	5		\$1,279.00
Plumbing Permits	12	8	4		\$4,305.45
Water Meters	0	0	0		\$0.00
Water Taps	2	0	2		\$660.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	14	8	6		\$4,965.45

September Code Enforcement:

Investigations: 192
Citations: 43

September Inspections:

Building: 57 Electrical: 35 Plumbing: 14 HVAC: 5

Electrical Exams: 0

• **Fire Department Report for October 2014**

	Month	2nd half of year
General Alarms	12	45
Still Alarms	0	16
Paid still alarms	7	40
Total:	19	

• **Workplace Safety Report for October 2014**

The following incident summary was filed:

Department	Injuries this Month	Year to Date 2014	Total in 2013	Restricted Days 2014	Lost Workdays This Year (2014)	Restricted Days Last Year (2013)	Lost Workdays Last Year (2013)
Parks	0	1	2	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	0	2	8	0	1	0	0
Street	0	2	4	0	0	43	0
Water & Sewer	0	6	3	170	48	126	0
Maint.	0	3	0	35	47	0	0
Other	0	1	4	0	0	0	0
TOTALS	0	15	22	205	96	169	0

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Appointments:

• **Statutory Boards and Commissions**

Legislative Appointments

1. Legislative appointment to the Lake County Solid Waste Management District Board of Directors. *(Fill vacancy rendered by the death of Councilor Dennis Adams. Position must be filled by a member of the Town Legislative Body.)*

Councilor Herak moved to appoint Councilor **Bernie Zemen** to fill the vacancy for the Town of Highland of the Lake County Solid Waste Management District Board of Directors. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. Councilor Bernie Zemen was appointed to the Lake County Board of Directors of the Solid Waste Management District.

Unfinished Business and General Orders:

1. **Appropriation Enactment No. 2014-51:** An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government in the *Motor Vehicle Highway Fund*, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq.

Councilor Herak introduced and moved the consideration at the same meeting of introduction of Enactment No. 2014-51. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no

negatives. The motion passed. The enactment could be considered for adoption at this meeting.

Councilor Herak moved the passage and adoption at the same meeting of introduction of Enactment No. 2014-51. Councilor Kuiper seconded. Upon a roll call vote, a two-third vote being necessary, there were four affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

Town of Highland
APPROPRIATION ENACTMENT
ENACTMENT NO. 2014-51

An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq.

WHEREAS, IC 6-1.1-18-7.5 provides that notwithstanding any other law, the appropriating body of a political subdivision may appropriate any funds received as a **grant** from the state or the federal government without using the additional appropriation procedures under IC 6-1.1-18-5, if the funds are provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

WHEREAS, The Town Council has been informed of the receipt of funds from a grant of the **Indiana Department of Homeland Security Severe winter storm public assistance** particularly represented on Clerk-Treasurer's **receipt number 23788** in the amount of **\$36,577.37** as reimbursement in support of overtime costs for detailed personnel and certain equipment operating costs associated with a severe weather event from earlier in the year;

WHEREAS, The Town Council has been further informed that these funds were provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That for the actual expenses of said municipality related to the severe weather event and the cost of special responses funded by **Indiana Department of Homeland Security Severe winter storm public assistance** to reimburse the municipality for its actual over time expenses incurred by personnel associated with the municipal response, and related costs the following additional sums of money, received as a grant from the state or the federal government and designated as a reimbursement of an expenditure made by the political subdivision, are hereby appropriated and ordered set apart out of the funds herein named:

MOTOR VEHICLE HIGHWAY (MVH) FUND

Increase Accounts:

Acct. 111.31 Labor Wages		<u>\$ 26,000.00</u>
	<i>Total 100 Series Increases</i>	\$ 26,000.00
Acct. 210.01 Gasoline and Oil		<u>\$ 10,577.37</u>
	<i>Total 200 Series Increases</i>	\$ 10,577.37
	Total of All Fund Increases:	\$ 36,577.37

Section 2. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 10th day of November 2014. Consideration on same day or at same meeting of introduction sustained a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ENACTED AND ADOPTED this 10th Day of November 2014, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

2. **Proposed Ordinance No. 1571:** An Ordinance To Make Several Technical Amendments To The Current Code Of Ordinances For The Town Of Highland, State Of Indiana, Revising, Restating, Arranging And Compiling Certain Existing General Ordinances Of The Town Of Highland Dealing With Subjects Embraced In Such Code Of Ordinances Into A Simplified Code, Without The Formal Recitals And Other Parts Of The Individual Ordinances, Making Such Code Positive Law Of The Municipality, All Pursuant To IC 36-1-5 Et Seq.

Councilor Herak introduced and moved the consideration at the same meeting of introduction of Ordinance No. 1571. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The ordinance could be considered for adoption at this meeting.

Councilor Herak moved the passage and adoption at the same meeting of introduction of Ordinance No. 1571. Councilor Zemen seconded. Upon a roll call vote, a two-third vote being necessary, there were four affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

ORDINANCE No. 1571
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE TO MAKE SEVERAL TECHNICAL AMENDMENTS TO THE CURRENT CODE OF ORDINANCES FOR THE TOWN OF HIGHLAND, STATE OF INDIANA, REVISING, RESTATING, ARRANGING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE TOWN OF HIGHLAND DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES INTO A SIMPLIFIED CODE, WITHOUT THE FORMAL RECITALS AND OTHER PARTS OF THE INDIVIDUAL ORDINANCES, MAKING SUCH CODE POSITIVE LAW OF THE MUNICIPALITY, ALL PURSUANT TO IC 36-1-5 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit **shall** codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances;

WHEREAS, The legislative body of this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

WHEREAS, The present general and permanent ordinances of the Town of Highland, formally codified in 2012, are in need of technical and substantive modifications not confined to any particular Title, Article or Chapter but nevertheless desirable to further improve and perfect the Code; and

WHEREAS, The Town Council, is persuaded that it is necessary and desirable to adopt the several technical and substantive modifications not confined to any particular Title, Article or Chapter to further improve and perfect the Code,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of Highland, Lake County, Indiana, as follows:

Section 1. That such Code of Ordinances as adopted and in effect, now containing certain Titles, shall now have the following name changes to certain Titles:

(A) That Title 3 which now is entitled "*Revenue and Finance*", shall be amended to be entitled "*Finance and Procurement*."

(B) That Title 8 which is now entitled "*Streets, Public Ways, and Sanitation (Solid Waste)*", shall be amended to be entitled, "*Streets, Sidewalks and Public ways*."

Section 2. That such Code of Ordinances now in effect shall consist of the following Titles:

Title 1:	General Provisions
Title 2:	Administration and Personnel
Title 3:	<i>Finance and Procurement</i>
Title 4:	(Reserved)

Title 5:	Business Licenses and Regulations
Title 6:	Animals
Title 7:	(Reserved)
Title 8:	Streets, Sidewalks and Public Ways
Title 9:	Public Safety, Peace, Morals and Welfare
Title 10:	Vehicles and Traffic
Title 11:	Culture and Recreation
Title 12:	Municipal Utilities and Environment
Title 13:	(Reserved)
Title 14:	Planning & Development
Title 15:	Buildings and Construction
Title 16:	(Reserved)
Title 17:	Subdivisions
Title 18:	Zoning
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Section 3. That Section 1.01.040 of the Highland Municipal Code be hereby repealed in its entirety and amended to include a successor section, to be styled Section 1.01.040, which shall read as follows:

1.01.040 Future codification.

Where necessary, the clerk-treasurer is authorized and instructed to communicate with the codifier to assign any ordinances of a general and permanent nature and pertaining to a subject or subjects contained in or covered by the code, that were passed and adopted from and after January 22, 2001, and up to and until the passage and adoption of a **replacement or successor Code**, ~~the ordinance codified in this chapter~~, to the appropriate title and section in the code herein adopted, according to its numbering and citation protocols, within a timetable that the clerk-treasurer determines to be reasonable. [Ord. 1526 § 4, 2012].

Section 4. That such Code of Ordinances as adopted and in effect, now containing certain Sections, shall now have the following name changes to certain sections as indicated:

(A) That Section 3.25.020 which now is entitled "*Authorized financial instruments*", shall be amended to be entitled "*Authorized financial instruments for payments to the municipality.*"

(B) That Section 3.25.050 which now is entitled "*Authorized financial instruments*", shall be amended to be entitled "*Authorized financial instruments for payments by the municipality.*"

Section 5. That Section 3.25.040 of the Highland Municipal Code be hereby repealed in its entirety and amended to include a successor section, to be styled Section 3.25.040, which shall read as follows:

3.25.040 Added authority related to acceptance of bank or credit cards.

(A) The municipality, its executive departments and its utilities may contract with any of the following:

(1) A bankcard or credit card vendor for acceptance of bankcards or credit cards.

(2) A third-party online collection service for acceptance of bankcards or credit cards.

(B) If there is a vendor transaction charge or discount fee, whether billed to the municipality, its executive departments and its utilities or directly charged to one of its accounts, the municipality, executive department or utility shall collect a fee equal to the transaction charge or discount fee imposed by the vendor;

(B) (C) The municipality, its executive departments and its utilities may pay any applicable bank card or credit card service charge associated with the use of a bank card or credit card under this section. [Ord. 1394 § 1, 2008. Code 2000 § 31.83].

Section 6. That Section 3.25.060 (C) of the Highland Municipal Code be hereby repealed in its entirety and amended to include a successor section, to be styled Section 3.25.060 (C), which shall read as follows:

(C) In making payments under subsection (B) of this section the clerk-treasurer shall maintain adequate documentation of the transactions so that they may be audited as provided by law, and the use of the instruments set forth in subsection (B) of this section shall be limited to ~~the following purposes~~ **those payments authorized by IC 5-13-5 and those set forth in Chapter 3.10 of this Code.**

~~(1) Property or services purchased or leased from:~~

- (a) ~~The United States government; or~~
- (b) ~~An agency or a political subdivision of the United States government;~~
- (2) ~~Insurance premiums;~~
- (3) ~~Utility payments or utility connection charges;~~
- (4) ~~Federal grant programs if:~~
 - (a) ~~Advance funding is not prohibited; and~~
 - (b) ~~The contracting party provides sufficient security for the amount advanced;~~
- (5) ~~Grants of state funds authorized by statute;~~
- (6) ~~Lease agreements or rental agreements;~~
- (7) ~~Principal and interest payments on bonds;~~
- (8) ~~Payroll;~~
- (9) ~~State, federal, or county taxes; and~~
- (10) ~~Lawful purposes that may be identified by the clerk-treasurer and authorized in writing and not inconsistent with this chapter. [Ord. 1394 § 1, 2008; Code 2000 § 31.85].~~

Section 7. That **Section 8.05.050** of the Highland Municipal Code be hereby repealed in its entirety, in that it is duplicative and a redundant re-statement of Section 2.35.015 of the Highland Municipal Code;

Section 8. That Section 2.35.015 (B) of the Highland Municipal Code be hereby repealed in its entirety and amended to include a successor section, to be styled Section 2.35.015 (B), which shall read as follows:

(B) "Exigent matter involving the operating conditions of local roads and streets" means incidents of snow, ice, or flooding that compromise the safety of public ways and arrests the ordinary flow of traffic, **and other extreme weather hazards** for which there has been effort expended for at least four consecutive hours **to remediate**;

Section 9. That this ordinance shall be effective from and after its passage and adoption as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 10th day of November 2014. Consideration on same day or at same meeting of introduction sustained a vote of 4 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 10th Day of November 2014, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

3. Action to approve overtime payments for Exempt Salaried Personnel, pursuant to Section 3 of Ordinance No. 1531 the Wage and Salary Ordinance, as amended and Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.
3.1 The Metropolitan Police Chief requests favorable action for R. Potesta, who is an exempt salaried employee, in the amount of \$300 for work associated with Highland Grove Mall Special Security.

Councilor Kuiper moved to authorize the paid overtime for exempt salaried supervisory personnel. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and no negatives. The paid overtime was authorized and approved.

4. **Works Board Order No. 2014-32:** An Order Approving and Authorizing the Proper Officer to Enter into a Purchase Agreement with Dell Incorporated for Desktop Computers, Software and licensing, further defining this as a Small Purchase under Section 3.05.060 (G)(2) of the Municipal Code.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2014-32. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2014-32**

An Order Approving and Authorizing the Proper Officer to Enter into a Purchase Agreement with Dell Incorporated for Desktop Computers, Software and licensing, further defining this as a Small Purchase under Section 3.05.060 (G)(2) of the Municipal Code.

Whereas, The Town of Highland Office of Clerk-Treasurer, as part of its public duties, has responsibility for the preservation, maintenance and public access to certain public records of the Town Legislative Body and of the municipality, except where another office by law is specifically directed to perform this function, and, from time to time, it is necessary to purchase and or lease materials and supplies in order to better carryout the functions of the department; and

Whereas, The Town of Highland, through its several departments, as part of its public duties, utilizes desktops computers as part of carrying out its public services and related duties in the Town of Highland; and

Whereas, The IT Director has determined a need to obtain certain computer equipment and has secured a quote from Dell Incorporated for the purchase of twenty-four (24) Dell OptiPlex 7020 Minitower Base CTO (210-ACRX) Computers at the unit price of \$1,040.32 each, in the total amount of \$24,967.68; and

Whereas, The IT Contract Consultant has indicated that the computers will be allocated in the amount of 9 to the Metropolitan Police Department and the amount of 15 allocated to the Public Works (agencies), Fire Department and the Office of the Clerk-Treasurer;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(b) and (f) of the HMC serves as purchasing agency for the Metropolitan Police Department, Fire Department, Building and Inspection Department and the Office of the Clerk-Treasurer; and

Whereas, The amount of the purchase exceeds ten thousand (\$10,000) and, pursuant to Section 3.05.040 (C) of the HMC, requires the express approval of the purchasing agency; and

Whereas, The Clerk-Treasurer, pursuant to Section 3.05.050 (D)(9), serves as the Purchasing Agent for the Office of the Clerk-Treasurer and all executive offices or departments; and

Whereas, The single payment will be supported by approved existing appropriations in the Municipal Cumulative Capital Fund and other lawful funds of the unit; and

Whereas, The Town Council now desires to approve and authorize the proper officer to enter a purchase agreement pursuant to the terms stated herein.

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the proper officer is hereby directed and authorized to purchase fifteen (15) Dell OptiPlex 7020 Minitower Base CTO (210-ACRX) Computers at the unit price of \$1,040.32 each, in the total amount of \$15,604.80, according to the standing retention and replacement schedule, to be used in the Office of the Clerk-Treasurer, Public Works, the Fire Department and to purchase nine (9) Dell OptiPlex 7020 Minitower Base CTO (210-ACRX) Computers at the unit price of \$1,040.32 each, in the total amount of \$9,642.30, according to the standing retention and replacement schedule, to be used by the Metropolitan Police Department;

Section 2. That the proper officer is hereby directed and authorized to purchase the forgoing as a single order, in the total amount of **\$24,967.68** in order to obtain the group discount offered for the total purchase;

Section 3. That the Town Council as Works Board finds and determines that this purchase is a qualified **small purchase** as the total purchase is below \$50,000, which permits purchases in the open market without inviting quotes from at least three vendors, all pursuant to Section 3.05.060 (G) (2) as well as IC 5-22 et sequitur;

Section 4. That the Town Council as Works Board further finds and determined there are sufficient and available appropriations balances on hand to support the purchase to the credit of the Municipal Cumulative Capital Development Fund, pursuant to IC 5-22;

Section 5. That the Clerk-Treasurer is authorized and directed to execute the purchase agreement and any additional documents in order to implement the purchase.

Be it So Ordered.

Duly, Passed, Adopted and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 10th day of November 2014 having passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO

Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

There was a colloquy between and among Councilor Herak and the IT Contract Consultant regarding the disposition of the retired computer hardware. The colloquy included the assertion by the IT Contract Consultant that his current contract provided that his company CBL owned the hardware, to which the effectiveness of such a provision was challenged.

Comments from the Town Council Members

(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • Liaison to the Park and Recreation Board • Liaison to the Town Board of Metropolitan Police Commissioners.*

Councilor Zemen acknowledged the Metropolitan Police Chief who reported on the Traffic Safety Commission.

Councilor Zemen acknowledged the Parks and Recreation Superintendent who reported that Phase I of the park improvement located at the intersection of 45th Avenue and 5th Street would be completed soon. He also noted the annual Veteran's Day ceremony at the Highway of Flags.

- **Councilor Mark Herak:** *Liaison to the Board of Waterworks Directors • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission.*

Councilor Herak acknowledged the Public Works Director who offered a brief survey of projects in town.

Councilor Herak congratulated County Councilor Dan Dernulc and State Representative William Fine on their recent elections.

Councilor Herak also expressed condolences to the Adams Family and discussed the recent passing of Councilor Dennis Adams. Councilor Herak noted he served only 11 months but had been at work on important matters.

- **Councilor Konnie Kuiper:** *• Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Building Commissioner, who offered a brief report on the construction of an "O'Reilly Auto Parts Store on Indianapolis Boulevard, and the progress on the Police Station Construction Project.

- **Council President Dan Vassar:** • *Municipal Executive* • *Chairman of the Board of Trustees of the Police Pension Fund (1925 Law)* • *Redevelopment Commission Liaison.*

The Town Council President echoed the congratulations to County Councilor Dernulc and State Representative William Fine for their elections. He also acknowledged the election of Kim Crowel, and the re-elections of Luanne Jurczak, and Robert Kuva to the School Board of Trustees.

The Town Council President acknowledged the Redevelopment Director who reported on the status of Redevelopment initiatives, including the application to allow the Town Theater to have National Landmark Status.

The Town Council President also shared his condolences to the Adams Family on the recent passing of Dennis Adams, late of the 4th Ward. He noted his significant impact even in his short time of service as an elected officer.

Comments from Visitors or Residents:

1. Dr. M.A. Rahmany, 10027 Westminster Lane, Munster, **owner of** 3081 Ridge Road and 2834 Highway Avenue, Highland, expressed his disappointment at the denial of his use variance petitions for those properties at the meeting of the Town Council of July 14, 2014. Dr. Rahmany also expressed disapproval that he was unable to have a meeting with the Town Council regarding his petitions and expressed disappointment with the Building Commissioner who he perceived contributed to his difficulty.

The Town Council President and the Town Attorney tried to dissuade his misimpression regarding the Building Commissioner, noting he was actually following the law and ordinances governing the matter. However, the Town Council President asked the Building Commissioner to meet with Dr. Rahmany in order to perhaps address some of his concerns.

2. Dan Dernulc, 9905 Prairie Avenue, Highland, Lake County Councilor Dan Dernulc introduced State Representative William Fine. State Representative Fine, 1341 Fitzgerald Street, Munster, then offered comments regarding his intention to meet with constituents and include the concerns of cities and towns as expressed by their city and town councils. He indicated that he would try to meet with the Town Council during his service as State Representative.
3. Carol Green-Fraleay, 3106 Lakeside Drive, Highland, noting the remarks of State Representative Fine, expressed as a school board member her concerns about the what she characterized as the adverse effects of the current school funding formula. She noted that the Highland Schools had five out its six schools earn A's with Warren Elementary School earning a B from the State Department of Education.
4. Dian Kobus, 9415 Spring Street, Highland, noted that she called code enforcement and was still seeking some enforcement action regarding a nearby property located at 2512 Hart Road, which was storing debris and other undesirable matter in the backyard.

It was noted that the Building Commissioner would follow-up and evaluate.

Payment of Accounts Payable Vouchers. There being no further comments from the public or visitors, Councilor Zemen moved to allow the vendor accounts payable

vouchers as filed on the pending accounts payable dockets, covering the periods October 28, 2014 through November 10, 2014 as well as the payroll dockets for October 17 and October 31, 2014. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors and payroll docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$325,423.78; Motor Vehicle Highway and Street (MVH) Fund, \$15,508.54; Local Roads and Streets (LR&S) Fund, \$2,068.17; VIPS/Parks Public Safety Fund, \$1,500.00; Law Enforcement Cont. Education and Supply Fund, \$3,702.83; Flexible Spending Accounts (FSA) Agency Fund, \$1,805.76; Insurance Premium Fund, \$140,748.59; Information and Communications Technology Fund, \$997.89; Solid Waste District Grant Fund, \$119.27; Police Pension Fund, \$62,056.64; Cumulative Capital Development Fund, \$2,892.00; Traffic Violations Fund, \$9,250.00; Corporation Capital Fund, \$69,380.25; Total: \$ 635,453.72.

Vendors Accounts Payable Docket:

Police Pension Fund, \$64,157.19; Total: \$ 64,157.19.

Payroll Docket for payday of October 17, 2014:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$11,600.81; Building and Inspection Department, \$6,661.76; Metropolitan Police Department, \$108,466.94; Fire Department, \$3,215.29; Public Works Department (Agency), \$60,250.27 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$190,195.07.

Payroll Docket for payday of October 31, 2014:

Council, Boards and Commissions, \$8,484.00; Office of Clerk-Treasurer, \$14,149.35; Building and Inspection Department, \$6,968.10; Metropolitan Police Department, \$99,780.50; Fire Department, \$36,357.42; Public Works Department (Agency), \$58,172.02 and 1925 Police Pension Plan Pension Fund, \$61,975.90; Total Payroll: \$285,887.29.

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Zemen seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, November 10, 2014 was adjourned at 7:42 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer